

1 NEW HAMPSHIRE BOARD OF NURSING
2 MINUTES
3 May 19, 2016
4 Philbrook Building
5 Conference Room B119
6

7 CALL TO ORDER
8

9 The meeting was called to order by Chair Nora Fortin (NF)

10 Board Members Present: Nora Fortin (NF), Kathleen Kidder (KK), Tracey Collins (TC),
11 Sherrie Palmieri (SP), Roberta Petrin (RP), Beth Fersch (BF), Cynthia Smith (CS), Nancy
12 Wiggan (NW), Kevin Walsh (KW), and Ann Finn-Waddell(AFW).
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14 Board Member Absent: none
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16 Board Staff Present (for all or part of the meeting): Denise Nies (DN), Sarah Howlett
17 (SH), Anita Pavlidis (AP) and Carol Brody (CB)
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19 Board Staff Absent: None
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21 Non-Public Sessions recorded as follows:
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23 Motion to commence 1st non-public session:

24 On motion of TC, seconded by KK, the Board voted to conduct a non-public session for the
25 purpose of board business and noting that such a non-public session is authorized by RSA 91-
26 A:3, II (c), RSA 91-A:3, II (e), RSA 91-A:5, IV, RSA 329:18, I, RSA 329:18-a, IV, RSA 329:29,
27 Lodge v. Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges.
28 Each member recorded his or her vote on the motion, which passed by the unanimous poll vote
29 of all members present.
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31 Motion to commence 2nd non-public session:

32 On the motion of SP and NW, the board voted to conduct a non-public session for the purpose of
33 board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c),
34 RSA 91-A:3, II (e), RSA 91-A:5, IV, RSA 329:18, I, RSA 329:18-a, IV, RSA 329:29, Lodge v.
35 Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each
36 member recorded his or her vote on the motion, which passed by the unanimous poll vote of all
37 members present.
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39 Motion to commence 3rd non-public session:

40 On the motion of SP and NW, the board voted to conduct a non-public session for the purpose of
41 board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c),
42 RSA 91-A:3, II (e), RSA 91-A:5, IV, RSA 329:18, I, RSA 329:18-a, IV, RSA 329:29, Lodge v.
43 Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each
44 member recorded his or her vote on the motion, which passed by the unanimous poll vote of all
45 members present.
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47 1.1 Open Forum: No questions or comments presented for board consideration.

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1.2 Agenda:

Additions:

1.3 Public Appearances

2. APPROVAL OF MINUTES

2.0.1 Nancy Wiggin motioned and seconded by Sherrie Palmieri to accept the minutes of April 6, 2016 as presented. Motion passed unanimously.

2.1.1 Kitty Kidder and Cynthia Smith seconded motion to accept the emergency minutes of 3/29/2016 as presented. Motion passed unanimously.

3. REPORT OF CHAIR/MEMBERS

3.1 None

4. REPORT OF EXECUTIVE DIRECTOR/STAFF

4.0.1 Rules for public hearing provided to the board for discussion with members of the public. Public hearing commenced with no members of the public present for comment. Board voted to accept Nur 502 as written as a Final Proposal. KK motioned to approve and TC seconded motion. Unanimous vote.

4.0.2 Final proposals for Nur 302, 304, 401, 603, 606 and 803 reviewed by the board approved as final proposals. NW motioned, and BF seconded the motion. Motion passed with unanimous vote.

4.0.3 Recused board member listing distributed to board members for sign up.

4.0.4 FYI: APU Investigator Training

5. ATTORNEY GENERAL –Standing Order from the APU for board consideration. Board voted to deny order as written and proposed wording changes for submission to the Attorney General APU. SP motioned, and KW seconded with unanimous vote.

6. REPORT OF INVESTIGATOR/PROSECUTOR

6.1 Open Files: Report provided on status of open files.

7. ADJUDICATION

95 Adjudicative (Investigator/ Prosecutor)

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97 7.1 HEARINGS

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99 7.1.1 Beth-Ann Eastman, LNA – Show Cause. Hearing held pursuant to the Nurse
100 Practice Act RSA 326-B and the Administrative Rules, Chapter 100-800,
101 proceeded at 9:35 am with Nora Fortin presiding.
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103 Board members present: Roberta Petrin (RP), Tracey Collins (TC), Sherrie
104 Palmieri (SP), Kitty Kidder (KK), , Cynthia Smith (CS) Nancy Wiggin (NW),
105 Ann Finn-Waddell(AFW), Beth Fersch (BF), and Kevin Walsh (KW).
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107 Board members absent: none
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109 Board staff present: Sarah Howlett (SH), Denise Nies (DN), and Hearing Counsel
110 for the Board of Nursing, L. O’Connor (LO).
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112 Board voted to fine licensee \$150.00 to address multiple instances of not
113 renewing license on time. Motion made by CS and seconded by RP. BF recused.
114 Quorum vote unanimous.
115

116 Hearing concluded at 9:40 AM
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118 7.1.2 Doreen Blouin, RN – Show Cause with Attorney Amy Spencer. Hearing held
119 pursuant to the Nurse Practice Act RSA 326-B and the Administrative Rules,
120 Chapter 100-800, proceeded at 10:30 AM with Nora Fortin presiding.
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122 Board members present: Roberta Petrin (RP), Tracey Collins (TC), Sherrie
123 Palmieri (SP), Kitty Kidder (KK), Cynthia Smith (CS) Nancy Wiggin (NW), Ann
124 Finn-Waddell(AFW), Beth Fersch (BF), and Kevin Walsh (KW).
125

126 Board members absent: none
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128 Board staff present: Sarah Howlett (SH), Denise Nies (DN), and Hearing
129 Counsel for the Board of Nursing, L. O’Connor (LO).
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131 Board voted the following:

- 132 1. Deny licensee request to eliminate alcohol testing.
133 2. Reprimand license with continuance of current stipulations with the exception
134 of requiring random PETH testing in lieu of standard urine testing.
135 NW motioned and RP seconded motion. Vote unanimous. Hearing concluded at
136 12:55 PM.

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7.1.3 Lindsay Fuller, RN – Hearing held pursuant to the Nurse Practice Act RSA 326-B and the Administrative Rules, Chapter 100-800, proceeded at 2:05-2:37 PM with Nora Fortin presiding.

Board members present: Roberta Petrin (RP), Tracey Collins (TC), Sherrie Palmieri (SP), Kitty Kidder (KK), Cynthia Smith (CS) Nancy Wiggin (NW), Ann Finn-Waddell(AFW), Beth Fersch (BF), and Kevin Walsh (KW).

Board members absent: none

Board staff present: Sarah Howlett (SH), Denise Nies (DN), and Hearing Counsel for the Board of Nursing, L. O’Connor (LO).

Board members voted the following: License suspension for 2 years and a fine total of \$1000.00. Information requested by licensee regarding treatment information for addiction, the Crisis Hotline and the nhlocator.org. KK made the motion and NW seconded the motion. Vote was unanimous.

7.2, 7.3

7.2.1 A. Vickers – Settlement Agreement accepted by the board. TC motioned, and NW seconded. SP was recused. Unanimous vote.

7.2.2 D. Holtzman – Voluntary Surrender Agreement accepted by the board. KK motioned, and NW seconded motion. Vote unanimous.

7.3.1 J. Raymond – Motion for Reconsideration and Rehearing. Board voted to deny request. No new evidence was presented to support motion. AFW motioned, and TC seconded motion. Unanimous vote.

7.3.2 C. Judd – Prehearing Document recommendation to board for approval. Board voted to accept recommendations. KK recused. AFW motioned, and TC seconded. Vote unanimous.

9 CLINICAL PRACTICE

9.3 Public Appearances

9.3.1 University of New Hampshire Dedicated Education Unit (DEU); see 10.3.1

10.0 Education

10.1.2 St. Anselm College: LPN IV Therapy Course: Approved with BF motion and SP second. Vote unanimous.

184 10.1.3 Harmony Health Care Institute: DOE VA Suspension. The board was apprised of
185 actions taken by the Dept of Education regarding HCCI processes with students.
186 Board discussed documents requested from HHCI as well as pass rate for NCLEX
187 patterns. Board voted for a show cause hearing in July. TC motioned, and BF
188 seconded. Vote unanimous.

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190 10.1.4 Day of Discussion: Recommendation made to suspend Day of Discussion
191 indefinitely citing various factors: resources to run the session, no requirement in
192 rules for providing education and other options for education available to nurses
193 and nursing faculty; Motion made by SP and seconded by TC. Vote unanimous.

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195 10.1.5 Review of SB 576 requirements for providers to obtain education on pain
196 management, opioid prescribing and/ substance abuse as well as a listing of
197 resources for the BON website. Paragraph wording addressing this requirement
198 for APRN's with active DEA numbers was reviewed and motioned to approve by
199 KK and BF.

200
201 10.3.1 UNH: DEU – University of New Hampshire Dedicated Education Unit (DEU) –
202 board voted to approve the request for an extension of the DEI concept to
203 specialty areas, an increase in faculty ratio from 1:* to 1:10 when participating in
204 the DEU model, and remote consultation between faculty, student(s) and
205 preceptors. BF motion and SP second. Unanimous vote.

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208 11. PRACTICE INQUIRIES and PRACTICE COMMITTEE REPORTS

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210 Practice Inquiries

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212 11.0 Delegation of medication administration to LNAs in a social detox center. Board
213 reviewed the process and ratio of resident to LNA and determined that the LNA
214 would be responsible for administration via accessing the med cart for the
215 medication pack. LNA would also need to access the narcotic cart based on the
216 med order. The board recommends that this facility considers having the LNAs
217 certify as MNAs in order to function appropriately under their scope. The ratio of
218 1 LNA:32 residents does not meet the intent of HB 484 which requires limited
219 delegation of 1 LNA to 1 to 2 residents that are considered stable.

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221 11.1 P and E Committee: No meeting minutes for review.

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223 11.2 Liaison Committee: Kitty Kidder reported that the committee reviewed a CNS
224 transcript that focuses on Adult Acute Care. Review of the curriculum shows a
225 very broad overview of courses addressing the practitioner role as defined in NH:
226 diagnosis, prescribing and treating. The did not recommend bringing this forward
227 as a recommendation to the board for consideration. The board also discussed
228 further the APRN compact requirements and verbalized concern about adoption
229 for all categories of CNS citing the above concerns as found in the applicant's

230 materials. Recommendation to the Board is that NH not pursue legislation
231 designed to create compact APRNs in NH at this time. Motion made by KK and
232 seconded by TC. Motion passed.
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234 12. LEGISLATION

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236 The compact legislation for RN and LPN has passed through both the Senate and the
237 House and will be signed into law effective either 2017 or 2018 depending on the
238 number of states that adopt.
239

240 14. ADJOURNMENT

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242 The meeting was adjourned at 4:55 PM
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